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C2 Please amend claim 35, as follows:

--35. (Amended) An early suppression fast response fire protection sprinkler suitable for use in accordance with one or more of NFPA 13, NFPA 231 and NFPA 231C, to protect single row rack storage, double row rack storage and multiple row rack storage having a maximum storage height of 40 feet in a storage area having a maximum ceiling height of 45 feet, with no open containers and no solid shelves, said sprinkler comprising a sprinkler body defining an orifice and an outlet for delivering a flow of fluid from a source, and having a minimum design flowing pressure of about 40 pounds per square inch at the most hydraulically remote sprinkler.--

REMARKS

Claims 1-104 are pending in this patent application.

Applicant acknowledges indication by the Examiner that claims 2-20 and 36-104 are allowed.

Claims 1 and 21-35 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. In particular, the claims are rejected for lacking recitation of structure in apparatus claims otherwise directed only to requirements of intended use.

In response to this rejection, each of claims 1 and 21-35 is amended to recite structural limitations; namely, that the sprinkler comprises a body defining an orifice and an outlet for delivering a flow of fluid from a source. Furthermore, each of these claims also recites a minimum design flowing pressure at the most hydraulically remote sprinkler; and each of claims 1 and 21-27 recites the sprinkler K-factor.

Applicant submits that this application is now in condition for allowance. Early favorable action is solicited.

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Please apply any charges, or credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

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